

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Beckley

Date: 10/24/2011

Case Number 5:11-cr-38

Case Style: USA vs. Hughie Elbert Stover

Type of hearing Criminal Jury Trial - Day 1

Before the honorable: 2516-Berger

Court Reporter Lisa Cook

Courtroom Deputy Kierstin Tudor

Attorney(s) for the Plaintiff or Government Blaire Malkin, Larry Ellis, & Philip Wright

Attorney(s) for the Defendant(s) William Wilmoth & William OBrien

Law Clerk Matt Delligatti

Probation Officer

Trial Time

Jury Trial. Day No. 1

Non-Trial Time

Court Time

9:35 am to 11:06 am

11:23 am to 12:10 pm

3:45 pm to 4:58 pm

1:40 pm to 3:25 pm

Total Court Time: 5 Hours 16 Minutes Court actively conducting trial proceedings/Contested proceedings

Courtroom Notes

CRIMINAL TRIAL - DAY ONE

Scheduled Start 9:30 a.m.

Actual Start 9:35 a.m.

Defendant present in person and by counsel.

Jury given oath to try the matter.

Court gives preliminary jury instructions to jury.

Mr. Wright makes opening statement on behalf of Government.

Mr. Wilmoth makes opening statement on behalf of Defendant.

Government calls KEVIN STRICKLIN; oath given.

Direct by Mr. Wright.

Gov't Ex. 1 & 2 marked and admitted.

Cross by Mr. Wilmoth.

Defense Ex. 1 & 2 marked and admitted.

Court takes recess at 11:06 a.m.

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Court resumed at 11:23 a.m.
Stipulation addressed by Ms. Malkin.
Government Exhibit 3 (transcript) marked and admitted and read into the record.
Government calls TIM WATKINS; oath given.
Direct by Ms. Malkin.
Cross by Mr. Wilmoth.
Redirect.
Court takes recess at 12:10 p.m.

Court resumed at 1:40 p.m.
Government calls QUINCY BURGESS; oath given.
Direct by Ms. Malkin.
Gov't Ex. 4 marked and admitted.
Gov't Ex. 5 marked and admitted.
Government calls TOMMY WINGO; oath given.
Direct by Mr. Wright.
Gov't Ex. 6 marked and admitted.
Gov't Ex. 7 marked and admitted.
Gov't Ex. 8 marked and admitted.
Gov't Ex. 9 marked and admitted.
Gov't Ex. 10 marked and admitted.
Gov't Ex. 11 marked and admitted.
Gov't Ex. 12 marked and admitted.
Gov't Ex. 13 marked and admitted.
Gov't Ex. 14 marked and admitted.
Cross by Mr. Wilmoth.
Redirect.
Court takes recess at 3:25 p.m.

Court resumed at 3:45 p.m.
Government calls BOBBIE PAULEY; oath given.
Direct by Mr. Ellis.
Gov't Ex. 18 marked and admitted.
Gov't Ex. 16 marked and admitted.
Gov't Ex. 15 marked and admitted.
Gov't Ex. 17 marked and admitted.
Government calls GREG CLAY; oath given.
Direct by Ms. Malkin.
Gov't Ex. 19 marked and admitted.
Gov't Ex. 20 marked and admitted.
Cross by Mr. Wilmoth.
Government calls CHARLES LILLY; oath given.
Direct by Mr. Ellis.
Gov't Ex. 22 marked and admitted.
Gov't Ex. 23 marked and admitted.
Gov't Ex. 21 marked and admitted.
Cross by Mr. Wilmoth.
Redirect.
Court takes recess at 4:58 p.m.